

LEWIS BRISBOIS BISGAARD & SMITH LLP

JOHN S. POULOS, SBN 154689

E-Mail: John.Poulos@lewisbrisbois.com

JEFFREY E. SCHULTZ, SBN 335323

E-Mail: Jeffrey.Schultz@lewisbrisbois.com

2020 West El Camino Avenue, Suite 700

Sacramento, California 95833

Telephone: 916.564.5400

Facsimile: 916.564.5444

Attorneys for Defendants,

SHIRLEE NOLEN and JOEL LYNN NOLEN

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOEL LYNN NOLEN, an Individual;
SHIRLEE NOLEN, an Individual; and NOLEN
PROPERTIES, LLC., a dissolved Limited
Liability Company; NANCY CANALE, as
trustee of the Bernard Canale and Nancy Canale
1998 Revocable Trust; and BERNARD
CANALE, a Deceased Individual by and
through his successor in interest NANCY
CANALE,

Defendants.

Case No. 2:23-cv-00320-JAM-CKD

**STIPULATION AND ORDER
REGARDING DEPOSITION OF ADAM
HOWARD**

Judge: Hon. John A. Mendez

Action Filed: February 22, 2023

Trial Date: May 5, 2025

Plaintiff UNITED STATES OF AMERICA and Defendants JOEL LYNN NOLEN and
SHIRLEE NOLEN stipulate and move the Court as follows:

On September 14, 2023, the Court entered a Pretrial Scheduling Order (ECF 44)
("Scheduling Order"). The Scheduling Order was subsequently modified on March 5, 2024 (ECF
52), and June 18, 2024 (ECF 60). Under the current schedule, the discovery period ended on
September 30, 2024. The Parties completed all discovery by September 30, with the exception of
the depositions as set forth in the Joint Motion to Permit Depositions Following Close of Discovery

(ECF 79). Pursuant to that stipulation, the Parties agreed to schedule Adam Howard's deposition no later than October 10, 2024.

Due to previously unforeseen circumstances Mr. Howard is unavailable on October 10, 2024. The Parties met and conferred and agreed to move his deposition to October 17, 2024. The Parties do not believe that taking Mr. Howard's deposition after October 10, 2024 will have any adverse effect on the current case schedule. The Parties do not anticipate that Mr. Howard's testimony will be relevant to any dispositive motions.

The Parties hereby stipulate to, and respectfully request that the Court, modify the Scheduling Order to allow Mr. Howard's deposition to take place no later than October 17, 2024.

IT IS SO STIPULATED AND RESPECTFULLY SUBMITTED,

DATED: October 4, 2024

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Jeffrey E. Schultz

JOHN S. POULOS

JEFFREY E. SCHULTZ

Attorneys for Defendants,

JOEL LYNN NOLEN, SHIRLEE NOLEN

DATED: October 8, 2024

UNITED STATES ATTORNEY

By: s/s Emilia P.E. Morris

PHILLIP A. TALBERT

EMILIA P.E. MORRIS

Attorneys for Plaintiff

1 *[Signatures continued on next page.]*
2 DATED: October 8, 2024

HOUSING AND CIVIL ENFORCEMENT SECTION
UNITED STATES DEPARTMENT OF JUSTICE

3
4 By: /s/ Alan Martinson

KRISTEN CLARKE
CARRIE PAGNUCCO
MEGAN K. WHYTE DE VASQUEZ
ARIELLE R. L. REID
KATHERINE A. RAIMONDO
ALAN A. MARTINSON
Attorneys for Plaintiff

5
6
7
8
9
10 DATED: October 8, 2024

SIERRA LAW CENTER, APC

11 By: /s/ Jacob Zamora

JACOB ZAMORA
Attorneys for Defendant,
NOLAN PROPERTIES, LLC

ORDER

Good cause appearing, and the parties having stipulated,

IT IS HEREBY ORDERED that

1. Plaintiff United States of America may conduct the deposition of Mr. Adam Howard by **October 17, 2024**, notwithstanding the close of discovery on September 30, 2024 or the previous Order permitting Mr. Howard's deposition to take place on or before October 10, 2024.

IT IS SO ORDERED

Dated: October 10, 2024

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ

SENIOR UNITED STATES DISTRICT JUDGE